

## THE CITY OF CLAYTON

Board of Aldermen  
City Hall – 10 N. Bemiston Avenue  
August 12, 2014  
7:00 p.m.

### Minutes

Mayor Sanger called the meeting to order and requested a roll call. The following individuals were in attendance:

Aldermen: Michelle Harris, Cynthia Garnholz, Mark Winings, Joanne Boulton, Alex Berger III, and Rich Lintz.

Mayor Sanger  
City Manager Owens  
City Attorney O'Keefe

**Alderman Winings moved to approve the July 22, 2014 minutes. Alderman Garnholz seconded.**

**The motion to approve the minutes passed unanimously on a voice vote.**

### PUBLIC REQUESTS AND PETITIONS

None

### A MOTION TO APPROVE A LIQUOR LICENSE UPGRADE FOR CITY COFFEE HOUSE, INC. LOCATED AT 36 N. BRENTWOOD BOULEVARD

Mayor Sanger announced that the applicant has requested to be withdrawn from tonight's agenda.

### A PUBLIC HEARING AND A RESOLUTION TO CONSIDER APPROVING A CONDITIONAL USE PERMIT FOR HOUSE OF WONG LOCATED AT 19 NORTH BEMISTON AVENUE

#### **Mayor Sanger opened the public hearing.**

City Manager Owens reported this is a public hearing and subsequent resolution for a conditional use permit for the proposed operation of House of Wong at 19 North Bemiston Avenue.

House of Wong, currently located at 48 North Central Avenue, plans to relocate to the currently vacant 1,422 square foot ground floor commercial space on the west side of North Bemiston Avenue between Forsyth Boulevard and Maryland Avenue (most recently occupied by F. Schumacher & Company).

The restaurant will have 31 seats indoors and 8 seats outdoors. Proposed hours of operation are Monday through Saturday, 11 a.m. to 9 p.m. and Sunday, 4:30 p.m. to 9 p.m. Deliveries to the restaurant will be made in the morning from the rear entrance of the restaurant space. Trash will be stored in an existing shared dumpster in the rear of the building. The restaurant does not intend to participate in the recycling program.

The restaurant will offer delivery and carryout service. One parking space behind the building has been dedicated for use by a delivery vehicle, which complies with the City's Delivery Policy.

The Plan Commission considered this request at their July 21, 2014 meeting and voted to recommend approval of the Conditional Use Permit to the Board of Aldermen. Recommendation is to conduct a public hearing and approve the resolution.

In response to the Board's questions, Mr. Lim, owner, stated that he has been in business in Clayton since 1988 located at 46 N. Central for the past 23 years. He said that they have decided to downsize and would like to relocate to 19 N. Bemiston Avenue. He explained that the outdoor dining and seating is considered self-service with the customer ordering inside at the counter, but the servers will deliver the food to the outdoor dining tables. He added that they will begin minor renovations on the property within the next two weeks.

**Mayor Sanger closed the public hearing.**

**Alderman Harris moved to approve Resolution No. 14-20, a Conditional Use Permit for house of Wong. Alderman Garnholz seconded.**

**The motion passed unanimously on a voice vote.**

**A PUBLIC HEARING AND A RESOLUTION TO CONSIDER A CONDITIONAL USE PERMIT FOR FONTBONNE UNIVERSITY – 6800 WYDOWN BOULEVARD (FONTBONNE UNIVERSITY'S CAMPUS & 801 SEMINARY PLACE (CONCORDIA SEMINARY'S CAMPUS))**

**Mayor Sanger opened the public hearing.**

City Manager Owens reported that Fontbonne University has resubmitted a request for a Conditional Use Permit for a proposed parking lot. He noted that the plans have not changed since the May 13<sup>th</sup> Board of Aldermen meeting with the exception of the addition of a restoration plan in the event that the lease is broken and the inclusion of two additional tree islands in the parking lot, resulting in a reduction of four parking spaces (for a total of 153 spaces). The applicant has submitted a project narrative intended to address the concerns raised by the Board of Aldermen at the May 13, 2014, meeting.

**Mayor Sanger closed the public hearing.**

Dr. Mike Pressimone, President of Fontbonne University, addressed the Board introducing Sr. Barbara Jennings.

Sr. Barbara Jennings read a statement (attached) for the record in support of Fontbonne's request for a parking lot.

Dr. Pressimone read a statement (attached) for the record supporting Fontbonne's request for a Conditional Use Permit for a proposed parking lot.

Dr. Gary Zack, Vice-President, Fontbonne University, addressed the Board by giving a PowerPoint presentation and summary of the proposed project.

In response to the Board's questions, Susan Istenes noted that the Board could require an exhibit to be attached to the resolution that ensures restoration of the lot if the purpose for parking ends. City Attorney O'Keefe pointed out that the stipulation is noted in Section 2 (4) of the resolution regarding the restoration.

Alderman Boulton read a statement (attached) for the record that she had previously sent to the Board.

In response to Alderman Lintz's question, Bill Berthold, Frontier Engineering explained that the driveway is designed longer due to the elevation of the property. Laurel Harrington, Christner, pointed out that they did look at moving the driveway to the middle which would cut the lot in half, and pointed out that St. Louis County was not in support of that option.

In response to the Board's questions, Gary Zach stated that the lighting will be on for 24 hours (no different from the other lots) due to safety concerns and is also required for accuracy of the security cameras. He stated that the lights closest to the Dartford home are 30 feet high.

Dan Shlafly, 107 Aberdeen, addressed the Board stating that no change has been made to the original plan and is a bad idea. He said that there is no need for students to have cars, the University should spread out the classes and offer variable parking prices. He urged the Board to reject the request.

Liza Street, 6420 Cecil Avenue, addressed the Board reading a statement (document unavailable) written by Gail Jackson expressing Ms. Jackson's opposition to the proposed project. Ms. Street also read a statement (document unavailable) in opposition to the project.

Beverly Wagner, 8025 Maryland Avenue, read statement (attached) for the record in support of the proposed project.

Chuck Shagrin, 14 Southmoor, addressed the Board stating that the criteria for a conditional use permit has not been met as it pertains to the project and urged the Board to not approve the request.

Matthew Wolf, 33 Dartford, addressed the Board commending Fontbonne University for taking the citizens and staff's concerns into consideration. He stressed that the University is a very important part of the community and urged the Board to approve the request.

In response to Jeremy Garrett's, 16 Southmoor, question, Mr. Zach stated that the overflow lot closes at 7:00 p.m. each night.

In response to the Board's questions, Sr. Jennings stated that Fontbonne addressed the citizens' concerns regarding ecology, but there is more than just ecology - it's also the social and educational benefits. She said that the school is very important to the community as a whole.

Judy Henschel, #3 Southmoor, expressed concerns about the number of lights and the style of lights in the parking lot and the reflection it will cause for home(s) on Dartford. Ms. Harrington gave a brief description on the lighting (and pole) design that will be used throughout the lot. She explained that they did a light study and the description depicted that there would be no light "spill-over" onto the Dartford property.

In response to the Board's questions, Ms. Harrington explained the lighting footprint, the lighting study and the layout of the tree (layered) landscaping.

Michelle Dillon, #4 Southmoor expressed concerns about the additional lighting as it relates to the school's holiday lighting. Ms. Harrington stated that holiday lighting is not directed and does not have a big impact on the surrounding area. She added that they have focused quite a bit on the landscape buffer and stressed that if it does not work they are willing to get it right.

In response to Alderman Boulton's question, Steve Mudd, Concordia Seminary, addressed the Board stating that the lighting is similar to what is along Dartford. Lighting is LED which "cuts-off" very sharply with firm shadow lines and that he has no concerns with regard to the proposed lighting.

With regard to the question regarding Concordia's parking lots, Mr. Mudd stated that there are some spaces that are not fully utilized and there has been conversation from time-to-time to rent the lots, but he feels this project is a practical approach for commuter students.

Allison Garrett, 16 Southmoor, expressed her concerns with regard to traffic accidents on Big Bend.

Ms. Henschel addressed the Board with concerns of the connector to the 14 parking spaces. She asks that the University installs a nice visual landscaping.

**Mayor Sanger closed the public hearing.**

**Alderman Harris moved to approve Resolution No. 14-16, a conditional use permit for for Fontbonne University. Alderman Garnholz seconded.**

Mayor Sanger stated that this issue has been a source of study for a long time. He personally walked the lot, the Board of Aldermen has had many conversations about the proposed project, and the requests meets all of the criteria required for a conditional use permit. He stated that he personally feels cutting down 100 trees is very difficult to accept, but it is not a factor in making a decision. He noted that if Concordia Seminary decided to cut down those trees tomorrow there would be nothing the City or anyone could do about because it is in their right.

**Alderman Garnholz moved to amend Resolution No. 14-16 to include a stipulation with regard to restoration. Alderman Harris seconded.**

City Attorney O'Keefe clarified the amendment to read as follows: *"Section 2 (4) That the Permittee shall be responsible for restoring the site in accordance with the restoration plan dated July 7, 2014, as approved by and on file with the City on termination of the lease for any reason. The restoration shall be completed within 6 months of lease termination."*

**The motion passed unanimously on a voice vote.**

**Alderman Boulton moved to amend Resolution No. 14-16 to require that the parking lot shall close at 9:00 p.m. each night. Alderman Lintz seconded.**

**The motion failed 2 ayes (Boulton and Lintz); 5 nays (Harris, Garnholz, Winings, Berger, Sanger) vote.**

Alderman Harris commented that this has all been a "balancing act" and the Board sometimes has to make difficult decisions. This proposal has been discussed for a long time and Fontbonne took all concerns into consideration and she believes everyone came back with the best solutions.

Alderman Boulton commented that she feels this was not the best solutions and the proposal did not meet the conditional use permit criteria. She stated that Fontbonne did not make any significant changes and is disappointed with the institution that they didn't come up with a better proposal to fit within the neighborhood.

Alderman Garnholz commented that too feels sad at the loss of the trees and green space, but Fontbonne worked hard to address the many concerns. She noted also that the proposal met all of the criteria and that is what they have to focus on. She reminded everyone about the days when cars lined Wydown Boulevard and in the Hillcrest Subdivision and with the addition of parking lots it eliminated that problem.

Alderman Berger stressed the importance of protecting and ensuring the restoration of the lot if over the years the purpose of said lot has failed.

**Alderman Harris moved to approve Resolution No. 14-16 a conditional use permit for Fontbonne University as amended. Alderman Garnholz seconded.**

**The motion passed 6 ayes (Harris, Garnholz, Winings, Berger, Lintz and Sanger) to 1 nay (Boulton)**

AN ORDINANCE TO CONSIDER APPROVAL OF THE 3<sup>RD</sup> QUARTER AMENDMENT TO THE FISCAL YEAR 2014 BUDGET

Janet Watson gave a brief summary of the proposed 3<sup>rd</sup> Quarter Budget amendment.

In response to Alderman Boulton's question, Ms. Watson stated that staff will look into and evaluate switching the retirement plan year to coincide with the budget.

**Alderman Harris introduced Bill No. 6457, to approve an amendment to the FY2014 Budget-3<sup>rd</sup> Quarter, to be read for the first time by title only. Alderman Garnholz seconded.**

**City Attorney O'Keefe reads Bill No. 6457, an Ordinance Amending the Fiscal Year 2014 Budget and Appropriating Funds Pursuant Thereto for the first time by title only.**

**The motion passed unanimously on a voice vote.**

**Alderman Harris introduced Bill No. 6457, to approve an amendment to the FY2014 Budget-3<sup>rd</sup> Quarter, to be read for the second time by title only. Alderman Garnholz seconded.**

**City Attorney O'Keefe reads Bill No. 6457 for a second time; Alderman Harris – Aye; Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; and Mayor Sanger – Aye. The Bill was adopted and became Ordinance No. 6331 of the City of Clayton.**

AN ORDINANCE TO CONSIDER APPROVAL OF AN AMENDMENT TO SECTION 135.010 OF THE CITY OF CLAYTON MUNICIPAL CODE ESTABLISHING A RELOCATION POLICY FOR PLANS, PROJECTS AND AREAS FOR REDEVELOPMENT APPROVED PURSUANT TO STATE LAW

City Manager Owens reported that the proposed amendment will revise the City's Relocation Policy in order to bring it up to date with State statutes. The principal changes include the updating of definitions and the increasing of reimbursable expenses under the policy.

**Alderman Harris introduced Bill No. 6458, to approve an amendment to Section 135.010 of The Municipal Code of the City of Clayton, Missouri, relating to Establishing a Relocation Policy for Plans, Projects and Areas for Redevelopment, to be read for the first time by title only. Alderman Garnholz seconded.**

In response to Alderman Boulton's question, City Attorney O'Keefe clarified that a redlined version showing the changes was included in the packet for the Board's review.

**City Attorney O'Keefe reads Bill No. 6458, an Ordinance Amending Section 135.010 of the City of Clayton Municipal Code Establishing a Relocation Policy for Plans, Projects and Areas for Redevelopment Approved Pursuant to State Law for the first time by title only.**

**The motion passed unanimously on a voice vote.**

**Alderman Harris introduced Bill No. 6458, to approve an amendment to Section 135.010 of The Municipal Code of the City of Clayton, Missouri, relating to Establishing a Relocation Policy for Plans, Projects and Areas for Redevelopment, to be read for the second time by title only. Alderman Garnholz seconded.**

**City Attorney O'Keefe reads Bill No. 6458 for a second time; Alderman Harris – Aye; Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye;**

**Alderman Lintz – Aye; and Mayor Sanger – Aye. The Bill was adopted and became Ordinance No. 6332 of the City of Clayton.**

#### A RESOLUTION TO AUTHORIZE THE SALE OF GENERAL OBLIGATION BONDS

City Manager Owens reported that on April 8, 2014, voters approved the issuance of \$15 million in General Obligation Bonds for street resurfacing, and streetlight and alley improvements. The projects are:

- Residential Resurfacing 2015 – Clayton Gardens, Old Town, Hanley Place, Maryland Terrace, Northmoor, Skinker Heights, Hi Pointe and Demun Park
- Residential Resurfacing 2016 – Moorlands, Clayshire, Parkside and Wydown Forest
- Residential Resurfacing 2017 – Hillcrest subdivision and the subdivisions around Country Club Place and Country Club Court (also known as the Polos)
- Claverach Park Resurfacing 2014
- Carondelet Plaza Resurfacing 2015
- Streetlight Improvements 2014 – Hillcrest and Davis Place
- Alley Improvements

Currently the City holds a AAA rating for General Obligation bonds. That rate will still need to be reapproved in association with this issuance even though the City recently experienced a rigorous rating review.

The resolution authorizes the offering of \$15 million in general obligation bonds for sale for these projects. In addition, this resolution authorizes the preparation of required documents such as the Notice of Sale, Preliminary Official Statement and final Official Statement by Bond Counsel, Financial Advisor and Director of Finance and Administration. This document further expresses that the Board of Aldermen intends to consider a subsequent ordinance authorizing the issuance of the bonds when conditions warrant. The current schedule for issuance is outlined below:

September 9 BOA Meeting      First Reading of Ordinance Approving Actual Sale of Bonds (includes blanks for the bond sale information since sale has not yet occurred)

September 23                      Bond Sale (11:00 a.m.)

September 23 BOA Meeting      Approve Final Sale of Bonds

Recommendation is to approve a resolution authorizing the sale of General Obligation bonds in the amount of \$15 million.

In response to Alderman Boulton's question, Michelle Bock, Piper & Jaffray, stated that this is a good time in the market due to interest costs and clarified that she expects institutions to bid on the bonds as well.

**Alderman Harris moved to approve Resolution No. 14-17, to authorize issuance of the General Obligation Bonds. Alderman Garnholz seconded.**

**The motion passed unanimously on a voice vote.**

#### A RESOLUTION TO AUTHORIZE THE OFFERING FOR SALE OF SPECIAL OBLIGATION REFUNDING BONDS

City Manager Owens reported that the City currently has two outstanding issuances which together are viable for refunding. These are Series 2005A and Series 2007 bonds. Refunding these two issuances

together will generate interest savings of approximately \$350,000 over the remaining short life of these bonds. The refunded bonds will mature in FY 2019.

The City's current bond rating for Special Obligation bonds is AA+, and this rate will still need to be reapproved even though the City recently experienced a rigorous rating review.

The attached resolution authorizes offering \$7 million in bonds for sale for this refunding. In addition, this resolution authorizes the preparation of required documents such as the Notice of Sale, Preliminary Official Statement and final Official Statement by Bond Counsel, Financial Advisor and Director of Finance and Administration. This document further expresses that the Board of Aldermen intends to consider a subsequent ordinance authorizing the issuance of the bonds when conditions warrant. The current schedule for issuance is outlined below:

September 9 BOA Meeting    First Reading of Ordinance Approving Actual Sale of Bonds (includes blanks for the bond sale information since sale has not yet occurred)

September 23                      Bond Sale (11:00 a.m.)

September 23 BOA Meeting    Approve Final Sale of Bonds

Recommendation is to approve a resolution authorizing the sale of \$7 million in bonds to refund Series 2005A and Series 2007 bonds.

In response to Alderman Boulton's question, Janet Watson stated that there will be a net savings of 3%.

**Alderman Harris moved to approve Resolution No. 14-18, to authorize the sale of the Special Obligation Refunding Bonds. Alderman Garnholz seconded.**

**The motion passed unanimously on a voice vote.**

**A RESOLUTION TO CONSIDER APPROVING A REVISED PROJECT LIST FOR THE CLAYTON CENTURY FOUNDATION TO USE AS FUNDRAISING TARGETS**

City Manager Owens reported we are returning to the Board of Aldermen to request that Assistance for Neighborhoods applying for consideration to be on the National Register of Historic Places be added to the approved project list for the purpose of fundraising by the Clayton Century Foundation. Funds will be raised to hire a consultant to help a neighborhood submit their application. The History section of CCF has endorsed this request and the CCF Executive Committee would like to see this added to the fundraising list.

**Alderman Harris moved to approve Resolution 14-19, to add to the CCF Projects' list to assist neighborhoods in applying to the National Historic Register. Alderman Garnholz seconded.**

**The motion passed unanimously on a voice vote.**

**Other**

Alderman Harris expressed her appreciation to public safety for the crowd control performed during the protests.

Alderman Garnholz added that there were three potentially "unruly" demonstrations and pays tribute to the public safety staff for a job well done.

Alderman Boulton reported on (1) the Non-Uniformed Employees' Retirement Fund Board; and (2) she viewed today's demonstration at the County and was impressed by the public safety staff with the performance on crowd control.

Alderman Berger expressed (1) "kudos" to the public safety staff on the demonstrations adding that he experienced firsthand the pro-Israel Rally; (2) announced that Cultural Festivals was chosen for the Grow St. Louis initiative sponsored by Monsanto to receive \$20,000 for the Art Fair; (3) Public Work forester Jim Flynn is retiring. Jim has been a member of the NUERF Board for several years; and (4) reported the UERF and NUERF are benchmarking a 7% return which is a significant increase.

Alderman Lintz expressed that he has not experienced any delays during the Wydown Boulevard construction.

There being no further regular business the meeting was adjourned at 9:15 p.m.

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Mayor

ATTEST:

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City Clerk



**Remarks by Sister Barbara Jennings, CSJ  
Board of Aldermen  
August 12, 2014**

The CSJ's founded the college at the current Clayton location 91 years ago, before the building of a majority of the homes in the community.

In fact, the CSJs purchased the property in 1908 and 1909, well in advance of the opening of Fontbonne. You may not know that the Sisters bore part of the cost of construction and paving of Wydown Blvd and the installation of sewer lines.

In the early days before the full curriculum was developed, Fontbonne was affiliated with St. Louis University.

Fontbonne has come a long way since the founding. For many years the majority of the faculty were sisters and the students were all women. We have now become a comprehensive university that serves students, young and adult, who come from a wide variety of economic backgrounds.

Since our founding, over 18,000 students have graduated from Fontbonne, the majority of whom remain in the Greater St. Louis community, contributing to society and the economy. More importantly, many have gone on to careers that serve the "dear neighbor" in fields like dietetics in nursing homes and hospitals, social work, teachers of the deaf, special education teachers and educators. They also enrich our cultural lives as artists and performers.

In short, Fontbonne has been a great neighbor and has been a part of the fabric of this community for a very long time. The university today continues to act as a good neighbor while serving students of diverse backgrounds, the majority of whom commute to the campus. This modest addition in parking will allow the university to better fulfill its mission.

1. Welcome and thanks
2. Introduce Sr. Barbara Jennings of the Sisters of St. Joseph of Carondelet, our founders and sponsors who would like to say a few words.
3. We have solicited comments from and considered many suggestions from multiple constituents including: Fontbonne Faculty and Staff, our students, our neighbors, concerned citizens, the zoning and planning board and the Mayor and this body of Aldermen.
4. After having heard and considered all of this, we firmly believe that the solution we have developed with Concordia Seminary best serves the needs of our business and our customers, our students.
5. Here are some responses to often heard criticism:
  - a. Various alternative parking solutions were offered including: valet parking, charging more for students who wish to park nearby and less for those who park remotely, changing our class schedule to manage parking demand and prohibiting freshman students from having vehicles on campus to name a few. RESPONSE: We believe that we know best the needs, habits, expectations and behaviors of our students. Unlike heavily residential colleges and universities, Fontbonne has always served a majority commuter population. Many of our students travel to and from campus more than once during the day. Working adults commute to campus in the evening. At one such hearing as this it was suggested that no colleges allow freshmen to have vehicles on campus. This is simply not true. I have never worked at a college or university where freshmen were subject to such a prohibition. The need for ample and relatively convenient parking is a necessity for our customers and those who serve them.
  - b. Like any other college and university, we host many events, many of which are open to the community. This adds to the intellectual life of our students, faculty, alumni, friends and neighbors. Additional parking is needed for these events, many of which are held in the evening on our campus.
  - c. Some have questioned the additional light that will be generated by the parking lot fixtures. RESPONSE: We have heard this criticism and have made modifications by lowering the light fixtures. In addition, the LED lighting used provides local lighting with little spill. We have determined the appropriate amount of lighting that will provide a level of safety for our students and their vehicles without creating significant overspill in the surrounding area.
  - d. There were concerns about headlights entering and leaving the parking lot, especially on the property known as #1 Dartford. RESPONSE: We have designed a natural shield which we believe will mitigate this problem. However, if after installation we find it is not adequate, we will take additional steps to respond and eliminate the problem.
  - e. There was some concern about the Right In, Right Out design of the parking lot entrance and its use and enforcement citing the Walgreens lot as an example of how this fails to work. Remember that we developed the Right In, Right Out design in response to earlier concerns about traffic. RESPONSE: Unlike our neighbors at Walgreens, those leaving our lot have a nearby alternative just to the north on Big Bend. The majority of our vehicular traffic will leave campus by that exit. In addition, there will be ample signage to direct traffic to the appropriate exit. Unlike at

neighbors at Walgreens, we have the ability to communicate access and egress to our students, faculty and staff on a regular basis.

- f. There was some concern about a general increase of traffic on Big Bend. RESPONSE: Our traffic studies conducted by BLA indicate that the actual amount of traffic on Big Bend will decrease once the lot is installed. Students typically come to campus looking for first choice parking and then go the CBC lot for remote parking and shuttling. This behavior and the need for shuttles will cease once the lot is completed.
- g. Some voiced a concern that this is simply a temporary solution. RESPONSE: This is simply not true. We, along with our friends and colleagues at Concordia Seminary, see this as the beginning of a mutually beneficial sharing of resources which will bring long term benefits to both institutions. This community will be better served if both of our institutions are thriving and healthy.
- h. There is concern about the removal of green space and trees. RESPONSE: All of us realize the importance of green space in our communities. In my short time here, I have been impressed by the abundance of parks and green space throughout this and other communities in the Greater St. Louis area. However, we must be allowed to balance this commitment with the ability to conduct our business. Trees removed will be replaced. Those trees will be cared for and, if trees fail to thrive or survive, they will be replaced. In the unlikely event that, after 20 years, we decide to abandon the parking lot, we have committed to its restoration.
- i. On July 21, 2014, staff of the zoning and planning commission recommended the approval of this conditional use permit. In their recommendation they stated "staff is of the opinion that the proposal is in conformance with the requirements of the R-2 Single-Family Dwelling District, and the project meets the criteria for the conditional use permit approval.

- 6. At this time I would like to call on Dr. Gary Zack, Fontbonne's Vice President for Finance and Administration who will address issues related to design and placement of the proposed parking lot.

**From:** joanne boulton  
**Sent:** Sunday, August 10, 2014 10:08 AM  
**To:** \*Mayor & Board of Aldermen  
**Cc:** Craig Owens  
**Subject:** RE: Pondering Fontbonne CUP

Dear Fellow Alderman and Mayor,

I have spent the last couple of weeks here in Santa Fe walking trails and absorbing nature. As I have trekked, I often find my mind examining and reexamining the Fontbonne Parking lot CUP decision we have before us. I would like to share with you my thoughts in the hope of starting a dialogue no matter what the final decision is on Tuesday night.

As I look at the new information Fontbonne has provided, I find substantially no difference from their previous iterations that we all found issue with the last time this came before us. I still believe that it does not satisfy the criteria for conditional use described in Section 405.830, failing #11, #13 and #14. Its passage by a 3-2 vote at the Plan Commission is evidence that I am not alone in this assessment.

In addition to my own concerns, during the 10 months this CUP request has been working through the system, at least 69 households have voiced their concern about the building of this parking lot. That is not an insignificant number in our community. I suspect any lack of public participation we see at the meeting this Tuesday night will have more to do with civic engagement fatigue and August travel than the lack of neighborhood opposition to the parking lot.

However, aside from the plans inability to satisfy the criteria for conditional use and the large number of households in the area that object to the transformation of a large green treed space to a temporary parking lot, a greater issue is involved: our obligation to follow our own policy decisions. As we have noted often the Board of Aldermen is a "policy" making board and as a board one of the policies we have iterated on many occasions is our desire to be a sustainable community. In our own words at the beginning of our Vision 2013 we say:

*To be a leading community that thrives on innovative thinking, adaptive approaches to new challenges and 21<sup>st</sup> Century sustainable practices.*

A cursory glance at our website has these sustainable policy decisions highlighted:

- Clayton is recognized as a Tree City for 22 years

- • “Sustainability Committee” to help with the development and/or support of ecologically sound programs and practices.
- • The installation of the City of Clayton’s Solar array
- • One of our four key performance areas in our “C the Future Plan” is Livable Communities that begins with “Clayton is a sustainable...community”.
- • Our proud acceptance of a Platinum LEED certification for the Police Station.
- • Clayton was the first green power community in Missouri
- • Clayton has been recognized by ICLEI-Local Governments for Sustainability for achieving Milestone One for Climate Mitigation.
- • Plan it! Green Committee
- • Clayton leads the way in implementing Kyoto Protocol targets

And this is just the tip of the iceberg. Go to: <http://www.claytonmo.gov/Resident/Sustainability.htm> for an amazing list of our sustainable policy initiatives.

We have consistently put sustainability and ecologically sound practices as an important policy for the City of Clayton. And this is where the rub is for me. Even if the criteria for CUP were met, which I adamantly don’t think have been met, how can we possibly justify the wholesale removal of 100 mature trees\*\* to build a temporary parking lot without requesting the use of “innovative thinking, adaptive approaches” and “21<sup>st</sup> Century sustainable practices?” Don’t we owe it to ourselves, and all our stakeholders, to follow our own vision statement and previous policy decisions?

To date, despite repeated requests, Fontbonne has refused to consider any other approach to their parking problem. Additionally while I realize we can’t “tell” an institution how to pursue policy, we also aren’t responsible for solving the problems that arise from their own policy decisions. A number of years ago, Fontbonne decided to expand their commuter school offerings with out regard to their scarcest resource, parking. This would be like a chocolate factory deciding to ramp up production without making sure they had enough cacao seeds. And, by their own admission, this lot will be a 10-20 year stop- gap measure for them before they build a parking garage at which time the lot will be abandoned.

I really appreciate everyone reading and thinking about the ideas I have broached above. While I know we have to weigh and balance many items while making our decisions, I do think it is important to remember our role as policy decision makers and act accordingly.

With warm regards,

Joanne

\*\*And you might rightfully ask why are trees so important to our community?

- One large tree can supply a day's supply of oxygen for four people.

- A healthy tree can store 13 pounds of carbon each year ----for an acre of trees that equals to 2.6 tons of carbon dioxide.
- Each gallon of gasoline burned produces almost 20 pounds of carbon dioxide.
- Research indicates that 100 mature tree crowns intercept about 100,000 gallons of rainfall per year, reducing runoff and providing cleaner water.
- Trees reduce noise pollution by absorbing sounds. A belt of trees 98 feet wide and 49 feet tall can reduce highway noise by 6 to 10 decibels.

And this very partial list of the environmental benefits, additionally there are also many social, psychological and community benefits.

Below is one of many links to benefits provided by trees:

<http://www.ncsu.edu/project/treesofstrength/benefits.htm>